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ONE HUNDRED ELEVENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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WASHINGTON, DC 20515-6115

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August 31, 2010

1438

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Chairman Genachowski:

We welcome your announcement that the Federal Communications Commission plans to develop a comprehensive inventory of the allocation, assignment, and use of our nation's spectrum. As you undertake this effort, we urge you to incorporate certain provisions of H.R. 3125, the Radio Spectrum Inventory Act, into any such spectrum inventory.

H.R. 3125 was introduced last year with strong bipartisan support. It was reported out of the House Committee on Energy and Commerce unanimously in March, and it passed the House of Representatives by a vote of 394-18 in April. We believe that certain requirements in the House-passed legislation merit inclusion in your efforts to create an inventory. In particular, these provisions include:

- A requirement that the Commission and the National Telecommunications and Information Administration (NTIA) develop an inventory of each spectrum band from 225 megahertz to at least 3.7 gigahertz, and to 10 gigahertz unless the agencies determine that the burdens of expanding the inventory in this manner outweigh the benefits.
- A requirement that the inventory include information concerning the activities, capabilities, functions, or missions supported by the devices in each band of frequencies.
- A requirement that NTIA and the Commission collect information that would approximate the extent to which each federal or nonfederal user is using, by

geography, each band of frequencies, such as the amount and percentage of time of use, number of end users, or other measures as appropriate to the particular band and radio service.

- A requirement that, based on the information collected through the inventory, the NTIA and the Commission submit joint reports to the House and Senate Commerce Committees containing recommendations as to which spectrum frequencies, if any, should be reallocated or otherwise made available for shared access and an explanation of the basis for that recommendation.

In creating the inventory, we urge you to first use agency resources, including existing databases, field testing, and recordkeeping systems before requesting information from federal and nonfederal users, as we specified in the bill. We also urge you to provide requisite safeguards to protect information that is proprietary or has implications for national security or public safety.

Identifying available spectrum will help further American innovation, competitiveness, and job creation. We commend you for your focus on this issue, as well as your recent launch of a "Spectrum Dashboard" to make information concerning spectrum allocation and usage more transparent to consumers.

Thank you for your consideration of our views.

Sincerely,



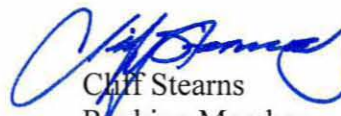
Henry A. Waxman  
Chairman



Joe Barton  
Ranking Member



Rick Boucher  
Chairman  
Subcommittee on Communications,  
Technology and the Internet



Cliff Stearns  
Ranking Member  
Subcommittee on Communications,  
Technology and the Internet





OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 29, 2010

The Honorable Henry A. Waxman  
Chairman  
Committee on Energy and Commerce  
U.S. House of Representatives  
2125 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Waxman:

Thank you for your letter welcoming the Commission's recent announcement regarding plans to develop a comprehensive spectrum inventory of the use of radio spectrum by non-Federal licensees and users under the Commission's jurisdiction. I support H.R. 3125's goal of conducting such an inventory.

I very much appreciate the Committee's input on the specifics of a comprehensive spectrum inventory. Many of the H.R. 3125 provisions are similar to steps we are considering in developing a plan to implement a spectrum inventory. This includes, as you note, the Commission's March launch of the "Spectrum Dashboard," which allows the general public to have access to information about various spectrum bands, including types of uses and licensee information on a county-by-county basis. The Dashboard has had more than 150,000 searches in the first five months since its launch. We held a public forum in May to highlight potential enhancements to the Dashboard and to solicit further public input on how to make this valuable tool more responsive to users' needs.

The National Broadband Plan recommends that we develop scientific, statistically valid methods to measure utilization of spectrum. The implementation of this recommendation will require the Commission to work closely with NTIA. In addition, the National Broadband Plan recommendations include conducting a triennial assessment of spectrum, consistent with many of the ideas detailed in your letter, including an assessment of the supply, usage and demand for spectrum, and an assessment of available spectrum and metrics by which to measure potential reallocation to alternative uses.

I share the Committee's commitment to expediting the availability of spectrum to support the growth of mobile broadband services. I look forward to working together to identify the best ways to most efficiently use this precious national resource so that we can lead the world in mobile communications.

Sincerely,



Julius Genachowski



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 29, 2010

The Honorable Joe Barton  
Ranking Member  
Committee on Energy and Commerce  
U.S. House of Representatives  
2322 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Barton:

Thank you for your letter welcoming the Commission's recent announcement regarding plans to develop a comprehensive spectrum inventory of the use of radio spectrum by non-Federal licensees and users under the Commission's jurisdiction. I support H.R. 3125's goal of conducting such an inventory.

I very much appreciate the Committee's input on the specifics of a comprehensive spectrum inventory. Many of the H.R. 3125 provisions are similar to steps we are considering in developing a plan to implement a spectrum inventory. This includes, as you note, the Commission's March launch of the "Spectrum Dashboard," which allows the general public to have access to information about various spectrum bands, including types of uses and licensee information on a county-by-county basis. The Dashboard has had more than 150,000 searches in the first five months since its launch. We held a public forum in May to highlight potential enhancements to the Dashboard and to solicit further public input on how to make this valuable tool more responsive to users' needs.

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I share the Committee's commitment to expediting the availability of spectrum to support the growth of mobile broadband services. I look forward to working together to identify the best ways to most efficiently use this precious national resource so that we can lead the world in mobile communications.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Genachowski", is written over a horizontal line.

Julius Genachowski





OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 29, 2010

The Honorable Rick Boucher  
Chairman  
Subcommittee on Communications, Technology, and the Internet  
Committee on Energy and Commerce  
U.S. House of Representatives  
316 Ford House Office Building  
Washington, D.C. 20515

Dear Chairman Boucher:

Thank you for your letter welcoming the Commission's recent announcement regarding plans to develop a comprehensive spectrum inventory of the use of radio spectrum by non-Federal licensees and users under the Commission's jurisdiction. I support H.R. 3125's goal of conducting such an inventory.

I very much appreciate the Committee's input on the specifics of a comprehensive spectrum inventory. Many of the H.R. 3125 provisions are similar to steps we are considering in developing a plan to implement a spectrum inventory. This includes, as you note, the Commission's March launch of the "Spectrum Dashboard," which allows the general public to have access to information about various spectrum bands, including types of uses and licensee information on a county-by-county basis. The Dashboard has had more than 150,000 searches in the first five months since its launch. We held a public forum in May to highlight potential enhancements to the Dashboard and to solicit further public input on how to make this valuable tool more responsive to users' needs.

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Sincerely,

Julius Genachowski



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 29, 2010

The Honorable Cliff Stearns  
Ranking Member  
Subcommittee on Communications, Technology, and the Internet  
Committee on Energy and Commerce  
U.S. House of Representatives  
2370 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Stearns:

Thank you for your letter welcoming the Commission's recent announcement regarding plans to develop a comprehensive spectrum inventory of the use of radio spectrum by non-Federal licensees and users under the Commission's jurisdiction. I support H.R. 3125's goal of conducting such an inventory.

I very much appreciate the Committee's input on the specifics of a comprehensive spectrum inventory. Many of the H.R. 3125 provisions are similar to steps we are considering in developing a plan to implement a spectrum inventory. This includes, as you note, the Commission's March launch of the "Spectrum Dashboard," which allows the general public to have access to information about various spectrum bands, including types of uses and licensee information on a county-by-county basis. The Dashboard has had more than 150,000 searches in the first five months since its launch. We held a public forum in May to highlight potential enhancements to the Dashboard and to solicit further public input on how to make this valuable tool more responsive to users' needs.

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Sincerely,



Julius Genachowski